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Operational Manual for Reviewing Employment Permit Application of Foreign Sports Coaches and Athletes



勞動部勞動力發展署

WORKFORCE DEVELOPMENT AGENCY, MINISTRY OF LABOR

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Manual Instructions:

This operational manual was published to make information public and improve the transparency of reviewing operation. It is compiled in accordance with relevant Laws and Regulations, but the reviewing criteria are still subject to the recent Laws and Regulations. In order to flexibly response various categories of application, it will be continuously added and revised then announced for any incomplete issue.

Category E (Sports coach and athlete)

1. Items of Job

(1) Sports coach (code 01)

(2) Athlete (code 02)

2. Qualifications

Serial No.	Item	Relevant Regulations	Examination Principles
1	Qualifications of foreign sports coach	<p>According to Article 43 of Review Standard, sports coach shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. Holding a national sport coach certificate issued by the National Sport Association. 2. Being sports coach more than 2 years and recommended by national (international) single sports association (federation). 3. Holding a Teacher Certificate for Coaching issued by the International Sports Federation and recommended by the federation. 4. Has demonstrated coaching ability, and is recommended by the International Sports Federation (National Sports Association) 5. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities agency as a special case for promoting national sports development or due to special circumstances. 	<ol style="list-style-type: none"> 1. The job of coach shall meet the sports item on the coach certificate. His/her main job is to train athletes to participate events. As for fitness, yoga and dance coaches who teach the public in the fitness center or classroom, they shall not be in the scope of sports coach. 2. The national sports coach certificate is not limited to be issued by our country only. The sports coach certificate issued by international single sports association (federation) may be recognized as well. 3. The domestic single sports association (federation) shall be the institution registered under Sports Administration, Ministry of Education. For those international single sports associations (federation), we will verify online and will invite the central competent authority with jurisdiction for comment if they don't exist or there is any doubt.
2	Qualifications of foreign athlete	<p>According to Article 44 of Review Standard, athlete shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. Holding participation certificate of international or national sports events. 2. Being athlete more than 1 year and recommended by national (international) 	<ol style="list-style-type: none"> 1. The actual working experiences of athlete shall meet the sports item that he/she applied. For basketball or baseball athletes with working experiences available at relevant websites (e.g.: Major League Baseball, MLB), the document of the working experiences may be recognized. 2. The national single sports association (federation) for recommendation of

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		<p>single sports association (federation).</p> <p>3. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities' agency as a special case for promoting national sports development or due to special circumstances.</p>	<p>athletes is not limited to be registered in our country only.</p> <p>3. The domestic single sports association (federation) shall be the institution registered under Sports Administration, Ministry of Education. For those international single sports associations, we will verify online and will invite the central competent authority with jurisdiction for comment if they don't exist or there is any doubt.</p>
3	Employer qualifications	<p>According to Article 45 of Review Standard, the employer shall have one of the following qualifications:</p> <ol style="list-style-type: none"> 1. School. 2. Government agency. 3. Public welfare sports group. 4. The company with business items relevant to sports. 5. The institution or company participates sports events held by national single sports federation or association, and provides document of proof. 	<ol style="list-style-type: none"> 1. The school includes each public or private elementary school, junior high school, high school, college, university and above. 2. The government agency refers to county (city) government or administrative corporation. 3. The public welfare sports group refers to the non-profit groups that were established by law to promote recreational or competition sports 4. The business items in the company or business registration are relevant to sports training, show and competition. 5. According to Article 21 of the Sports Industry Development Act, an individual of foreign nationality who works in the sports industry who comes to Taiwan to engage in short-term commercial activities, give technical coaching, or give professional performances and who has not been employed by any employer in Taiwan may do so on a visitor visa for up to fourteen days, without being required to apply for a work permit. Therefore, those who are employed to engage in sports shows or competitions in Taiwan shall still apply for work permits in accordance with the regulations.

3. Documents for Application

Serial No.	Documents	Review Principles	Notices
1	Original receipt of reviewing fee	<ol style="list-style-type: none"> 1. The reviewing fee receipt may be exempted since relevant info of reviewing fee receipt should be filled in the application form. However, it shall be subject to the case and the employer may be asked to attach it. (According to Announcement No. 10405118501 issued by Ministry of Labor on 23 September 2015) 2. Reviewing fee is NTD\$500. 	<ol style="list-style-type: none"> 1. The reviewing fee for employment of foreign professionals is calculated by unit other than number of applicant. The application from the same company (work permit application for more than 2 foreign workers) is required to pay the reviewing fee \$500 only. 2. The new employment and extension shall not be treated as one application. Applicant shall apply separately and pay the supplementary reviewing fee. 3. Those who apply for information change do not need to pay reviewing fee. Those who withdraw application will not be refunded. 4. Those who overpay or underpay reviewing fee or do not pay it at post office will be asked to repay it and attach original receipt in accordance with regulations. 5. The refund method for overpaid (mistakenly paid) reviewing fee: Employers shall fill out a refund application and attach the original receipt of the overpaid (mistakenly paid) reviewing fee and the statement of cause to apply for a refund. 6. According to Announcement No.0930450078 issued by Ministry of Finance on February 11th, 2004, profit-seeking enterprises or professional practitioners who pay for the reviewing fee for applying work permit for foreign workers with postal GIRO deposit slips may use the receipt as expenses.
2	Application form	<ol style="list-style-type: none"> 1. In the application form, required fields include specify unit (employer) name, unit seal (chop), case information (e.g. work category, work content, 	<ol style="list-style-type: none"> 1. The application form of new employment and extension shall be separate. 2. The field of positive benefits of foreign professional

Serial No.	Documents	Review Principles	Notices
		<p>application type, payment information, and mailing address), employer information (e.g. unit name, unified business number, owner, unit seal (chop) and owner's seal (chop), employer qualifications, and contacts), specific employment reason, and positive benefits of foreign worker employment (extension application excluded).</p> <p>2. The name of application unit shall be consistent with the seal of unit.</p> <p>3. For those who entrust private employment service agency for applying, the name, registration number, professionals, seals of the agency and the owner and contact phone number shall be filled in.</p>	<p>employment shall be specifically entered and relevant to the work. The extension application is excluded.</p> <p>3. The employer will be asked to complete the application if the required fields are not completely entered.</p>
3	Name list of employed foreign workers	<p>1. The required fields in the name list include name of application unit, unified business number, English name, gender, nationality (or area), date of birth, passport number, employment period, education, monthly salary, title, work content, and work address.</p> <p>2. The personal information shall be correctly filled in based on passport.</p> <p>3. The period of work and monthly payroll shall be consistent with that of list and contract.</p> <p>4. The work address shall be the actual work address in Taiwan.</p> <p>5. The seal of unit shall be affixed.</p>	<p>1. The field, "occupational classification code," may not be entered.</p> <p>2. "Monthly salary" shall be entered with the actual amount specified in an employment contract signed between the employer and the employed foreign worker or "as specified in the contract."</p>
4	Photocopy of owner's ID card, passport or alien residence certificate	<p>1. A photocopy of the owner's ID card, passport or alien residence certificate shall be attached.</p> <p>2. The owner's ID card, passport or alien residence certificate shall be valid during application.</p>	<p>1. The owner shall be the same owner specified in the employer registration form (or institution establishment certificate).</p> <p>2. If the employer makes an application as a civil association, the valid certificate of elective owner shall be attached separately.</p>
5	Company registration	<p>1. Government agency and public school may not attach it.</p>	<p>For those employers such as banks, insurers and others in accordance</p>

Serial No.	Documents	Review Principles	Notices
	(business registration) or institution registration certificate	<ol style="list-style-type: none"> 2. The company shall attach company establishment, company change or business registration and operation items shall meet Article 45 of Review Standard (see employer qualifications in the qualifications for details). 3. Non-profit sports associations shall submit the establishment certificate or registration certificate. For first-time applicants, the unified business number notice shall be submitted for verification. 	with relevant laws who are unable to register sports as operation item, they may issue statement as replacement.
6	Photocopy of passport or ARC (Alien Resident Certificate) of the employed foreign worker.	<ol style="list-style-type: none"> 1. The passport or ARC shall be valid at the commencement date of employment. 2. The personal information page and shall be complete, clear and identifiable. 3. It is not admitted for the resident of mainland China to work in Taiwan except those from Hong Kong and Macau. 	<ol style="list-style-type: none"> 1. Principally, the passport with words such as travel document, identify certificate or not passport shall not be recognized. 2. The British passport with overseas mark is for resident in Hong Kong. 3. The empty page of passport or previous passport may not be attached. 4. If the passport number was changed after issuance of approval letter, the application of information change shall be made separately.
7	Photocopy of employment contract	<ol style="list-style-type: none"> 1. The name, work, employment period and payroll of employed foreign worker shall be specified in the employment contract with signature of employer and employee. 2. The work shall meet with the nature of athlete or sports coach. 3. Employment period: <ol style="list-style-type: none"> (1) The work period shall be within the employment period. In case of any discrepancy, the work period shall apply. (2) The attached employment contract shall specify the start date of employment, or the effective date of the employment contract shall 	The labor contract shall meet regulations of R.O.C. Any labor contract against them shall be invalid.

Serial No.	Documents	Review Principles	Notices
		be upon the issuance of employment permit in accordance with the Civil Code (however, the list of employed foreign workers shall specify the start date of employment).	
8	Training program during work in Taiwan	It shall be attached for application of sports coach.	The training program shall include name of foreign worker, training object, intended competitions, time, location and courses, and shall meet the nature of applied work.
9	Certificate of sports coach	<ol style="list-style-type: none"> 1. National sports coach certificate. 2. Certificate of being sports coach more than 2 years and reference letter by national (international) single sports association. 3. Holding a Teacher Certificate for Coaching issued by the International Sports Federation and a recommendation letter by the federation. 	<ol style="list-style-type: none"> 1. Acceptable certificates of work experience are as follows: <ol style="list-style-type: none"> (1) Certificates of work experience issued by companies or organizations (institutions) or documents sufficient to prove employment (including personal profile, work content, work period, name of company or organization (institution), and seal of company or organization (institution), with a director's signature or seal affixed). (2) Competitions announced on the organizers' official websites (e.g. Major League Baseball and National Basketball Association). 2. For foreign who had a work permit, when applying for new employment in the same work category / work type and the same sport category by a new employer or apply for new employment by the same employer because of the interruption of employment, the documents listed on the left can be exempted. 3. Single case consultation (referring to Subparagraph 5, Article 43 of Review Standards) means employers need not to submit proof documents 1-4 after being approved in consultation.

Serial No.	Documents	Review Principles	Notices
10	Certificate of athlete	<ol style="list-style-type: none"> 1. Participation certificate of international or national sports events. 2. Certificate of being athlete more than 1 year and reference letter by national (international) single sports association (federation). 3. Specializing in a certain sport, or been recognized by the central competent authority in consultation with the central relevant sports authorities agency as a special case for promoting national sports development or due to special circumstances. 	<ol style="list-style-type: none"> 1. Acceptable certificates of work experience are as follows: <ol style="list-style-type: none"> (1) Certificates of work experience issued by companies or organizations (institutions) or documents sufficient to prove employment (including personal profile, work content, work period, name of company or organization (institution), and seal of company or organization (institution), with a director's signature or seal affixed). (2) Competitions announced on the organizers' official websites (e.g. Major League Baseball and National Basketball Association). 2. For foreign who had a work permit, when applying for new employment in the same work category / work type and the same sport category by a new employer or apply for new employment by the same employer because of the interruption of employment, the documents listed on the left can be exempted. 3. Case consultation (Subparagraph 3, Article 44 of the review standards) means employers shall apply for each case and need not submit proof documents in Paragraphs 1 and 2 on the left if approved in consultation.
11	Original employment approval letter	<ol style="list-style-type: none"> 1. The extension application shall be in continuous with the previously approved employment period. 2. For extension application or info change application, original employment approval letter shall be attached. 	<p>The extension application, according to Article 8, "Regulations on the Permission and Administration of the Employment of Foreign Workers", requests, shall be submitted within 4 months before the expiration of employment approval letter. For employment period of less than 6 months, the employer shall submit the application after 2/3 of the employment period passed. Any application submitted earlier will be returned.</p>
12	Legal	For a foreign worker under 20 years	1. The calculation of under 20

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	representative consent and photocopy of legal representative's passport	old, legal representative consent and a photocopy of legal representative's passport shall be attached.	<p>years old is made from the commencement date of employment other than application date. For a foreign worker under 20 years old, the documents specified in this paragraph shall be attached.</p> <p>2. Legal representative consent shall specify the name of employer, work content of foreign worker, and date of consent (or employment period).</p> <p>3. If the legal representative is unable to attach his/her passport, other documents such as local ID card or driving license which is enough to proof his/her identity may be submitted instead.</p>

4. Other Regulations

Serial No.	Item	Relevant Regulations and Description	Notice
1	Validity period of the work permit	According to Article 52 of Employment Service Act, the longest validity period of work permit is 3 years. The validity of work permit shall be approved based on the above regulation, application by the employer and the signed contract.	Ministry of Labor may decide it on the basis of the application of employer and circumstance of the case as well as visit or activate consultation mechanism when necessary.
2	Declaration of picking up in person	For those would like to pick up in person, please fill out and submit your declaration of picking up in person at the counter in the Ministry of Labor. Registered mail is not accepted.	Principally, the document attached by the employer shall be affixed with the seal of application unit and owner. However, except that the application and list shall be affixed with official seal, the seal for other documents in the application from government agency or school may be replaced by the seal of unit or department.
3	Principle of affixing with seal	The seals of application unit and owner shall be affixed to each page of an application. For photocopies attached to the application, the words of “in conformity with the original” shall be noted.	In principle, documents attached by the employer shall be affixed with the seals of application unit and owner. The application and list shall be affixed with an official seal of a government agency or school, and the seal of employer’s unit or department may be affixed to other documents.
4	Document for employment transfer	According to Article 53 of Employment Service Act, new employer will be required to ensure whether the foreign worker replaces employer if he/she was employed by other employers during employment application: 1. Yes: please provide termination certificate between the foreign worker and original employer or ask original employer have termination treatment. 2. No: it will be regarded as part time work and documents may be exempted.	
5	Chinese translation	Chinese translations of documents submitted by the employer shall be attached if the documents are not made in Chinese. (Order No. 10705009021 issued by the Ministry	For all required documents that are made in foreign languages, abridged translations may be submitted, provided that the scope of abridged translations shall include the

Serial No.	Item	Relevant Regulations and Description	Notice
		of Labor on February 9, 2018)	necessary content related to the qualifications specified in the regulations (e.g. name of employer, name of foreign worker, work content and title, employment period, and salary), and the issuer or signer of document, signer's name and title, and date of signing (foreign name of signer shall be specified in the Chinese translation). The abridged translations shall not be contrary to the facts contained in the original documents.
6	Verification of Documents	<ol style="list-style-type: none"> 1. If the attached documents are made in Afghanistan, Algeria, Bangladesh, Bhutan, Myanmar, Cambodia, Cameroon, Cuba, Ghana, Iran, Iraq, Laos, Nepal, Niger, Nigeria, Pakistan, Senegal, Somalia, Sri Lanka, Syria, Philippines, Thailand, Vietnam, Malaysia, or Indonesia, they shall be certified by the representative office of R.O.C. in these countries. (Order No. 10805088081 issued by the Ministry of Labor on July 17, 2019) 2. If the attached documents are made in the Mainland area, they shall be authenticated by the institution set up or designated, or by the private organization entrusted by the Executive Yuan in accordance with Article 7 of the "Act Governing Relations between the People of the Taiwan Area and the Mainland Area." 3. Attached documents other than the above shall be handled in accordance with Paragraph 3, Article 7 of the Regulations on the Permission and Administration of the Employment of Foreign Workers. In case of any doubts, employers may be asked to certify as needed. 	
7	The Principle of Handling Late Extension	Please refer to Article 46-1, Regulations on the Permission and Administration of the Employment of Foreign Workers	1. In principle, the extension application submitted after the original employment period

Serial No.	Item	Relevant Regulations and Description	Notice
			<p>expires shall be proceed as new application.</p> <p>2. Exception: the employer re-applies within 15 days from the previous employment period expiry (a letter of explanation shall be attached and it is limited to once only) in accordance to Article 46-1 of Regulations on the Permission and Administration of the Employment of Foreign Workers, such application shall be approved and the employment period shall be traced (Notes should be left on the system so that such re-application won't be accepted again.)</p>
8	Review Days	<p>Days required to review the applications for the employment of foreign workers are as follows (Announcement No. 1040516707 issued by the Ministry of Labor on January 29, 2016):</p> <p>1. Online application: If application documents are complete, and both the employer and the foreign worker meet the stipulated qualifications and conditions, the Ministry of Labor shall review the applications within 7 working days from the next day of receipt.</p> <p>2. Written application: If application documents are complete, and both the employer and the foreign worker meet the stipulated qualifications and conditions, the Ministry of Labor shall review the applications within 12 working days from the next day of receipt.</p>	<p>1. According to Article 43 of the Employment Service Act, no foreign worker may engage in work within the Republic of China should his/her employer have not yet obtained a permit via application therefore. The Ministry of Labor will grant the permit after reviewing the employer's application, and the period of employment permit starts from the employment application date on or after the issue date.</p> <p>2. To avoid any violation of the aforesaid regulation, employers shall apply early in consideration of the review days required by Ministry of Labor.</p>